"Here and Now" An Update of the New Hampshire Compliance and Cleanup Programs

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2003 Legislative Session SB 47

- Three Major Components of Bill
 - Two Proposed by DES
 - OPCF fee increase
 - Facility Fee Repealed
 - One Added by Legislature
 - Transfer of Petroleum Funds to General Funds

2003 Legislative Session SB 47

- OPCF fee increase from \$0.001 to \$0.00125
- First fee increase in 12 years
- UST facility fee of \$70/yr repealed
- Vapor recovery fee to be dropped when rules are revised

2003 Legislative Session SB 47

- \$1 million transfer of petroleum funds
 - \$700 k from Motor Oil Discharge Fund
 - \$200 k from Fuel Oil Discharge Fund
 - \$100 k from Oil Pollution Control Fund
- Started as \$5 million from ODD Fund
- Transfer to Highway Fund
 - \$200 k for highway enforcement equip.
 - \$200 k for State Police overtime
 - \$600 k for road and bridge repair
- One time transfer under this bill

Underground Storage Tank Rules Env-Wm 1401

- Rules are being revised
 - Vent lines must be vapor tight
 - No distribution to regulated facilities without valid permit-to-operate
 - New installation no closer than 400 ft. to a community water system
 - Adoption expected in spring of 2004

Vapor Recovery Rules Env-A 1205

- Rules are being revised
 - Env-A 1205 will be replaced with Env-Wm 1404
 - Fees to be eliminated
 - Initial registration fee for Stage I&II
 - Stage II three year testing fee
 - Weekly maintenance inspections by operator
 - Additional maintenance requirements in annual maintenance inspection
 - Adoption expected in spring of 2004

- Executive Order
- Statistics to date
- SB 19

- Notification Executive Order Requirements
 - Contamination Discovered After 7/1/02
 - Written Notification by DES within 30 days of confirmation analysis
 - > 5 ppb of MtBE or AGQS violation
 - Property owners with On-site wells (500 ft)
 - Public Water System (contamination is within Protection Area)
 - Town Public Health Officer

- Statistics to Date
 - 63 Sites
 - 582 Property Owners Notified
 - 21 Public Water Supply Owners Notified
 - 54 of 63 Site were MtBE Notification
 - 50 of 63 Site were in RFG Counties

SB 19

- Written Notification by DES within 45 days of receiving initial sampling results
- AGQS violation only
- Property owners with on-site wells (500 ft)
- Public water systems if contamination is within wellhead protection area
- Town Public Health Officer

USGS MtBE Study

- Random sampling of public and private supplies in Rockingham County
- 121 PWS and 75 private wells
- Lower detection limit 0.2 ppb vs. 0.5 ppb
- 41.3% PWS w/MtBE
- 23.5% private wells w/MtBE
- 65.7% of community water supplies w/MtBE

UNHTBA Study

- Tertiary butyl alcohol breakdown product of MtBE biodegradation
- Appears in groundwater and in some treatment systems
- More difficult to treat than MtBE
- Study to look at:
 - When does it occur?
 - How to prevent or ensure full degradation?